

Merced County SELPA

Policy 1.08

CONFIDENTIALITY

The Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA) and The Health Insurance Portability and Accountability Act of 1996 (HIPAA) are laws aimed at ensuring privacy and confidentiality of educational and health records.

“Confidentiality” is the restriction of access, including but not limited to, verbal and written communications, including clinical, medical and educational records.

Per IDEA and California Education Code, each LEA shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction and shall adhere to the Family Education Rights and Privacy Act (FERPA). LEAs are to protect the dissemination of student information that is confidential. The LEA shall take steps to protect the student from a situation where student information could be potentially injurious to the student and the family.

Legal References:

EDUCATION CODE

49060 - 49079

56341

STATE REFERENCES

17 CCR 2890, 34 C.F.R. 99.20(a), 99.80, 99.31(a) (9), 99.31d (a) (10) and 99.36

34 C.F.R. 300.567, 34 C.C.R. 300.344(a) (6), 34 C.C.R. 300.344

FEDERAL REFERENCES

20 U.S.C. Section 1232g(a)(2); 1232g(b)(1); 1232g(b)(1)(I); 1232g(a)(2); 1232(b)(e)(ii)(II); 1232(b)(1)(I)

Adopted by BOD 2/23/10

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